

**Arkansas Forestry Commission
Sexual Harrassment
Policy and Procedure Statement
§150**

1. This policy is to encourage employees to discuss problems of sexual harassment with appropriate supervisors; to explain, reach resolution; to make adjustments, if necessary, and to foster better understanding between employees and supervisors. Such discussion will lead to better employee/supervisor understanding of policies, procedures and practices.
2. It is the policy of the AFC that sexual harassment, as defined in Federal Guidelines (29 CFR, chapter XIV, subsection 1604.11), Section 703 of Title VII of the Civil Rights Act of 1964, as amended, and Arkansas Act 563 of 1985, is intolerable and unconscionable.
3. All employees are given the opportunity through established steps and processes as specified in the AFC's Grievance Policy § 30, to resolve sexual harassment complaints.
4. All complaints should be made in good faith, expressed in reasonable terms, listing cause for complaint, corrective action requested, and sufficient information upon which to base decisions.
5. The criteria of sexual harassment, as specified by Federal Guidelines, is:
 - a. "Submission to the conduct is either an explicit or implicit term or condition of employment and/or;
 - b. Submission to or rejection of the conduct is used as a basis for employment decisions affecting the person who do did the submitting or rejecting and/or;
 - c. The conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment."
6. Actions that may be defined as sexual harassment are not limited to the "supervisor to employee" situation, but may include actions of co-workers, actions of the same or opposite sex, and actions of individuals external to the AFC, but who have contact with employees in the work environment.
7. Unwelcome behavior may be physical or verbal. Examples include, but are not limited to:
 - a. Overt Actions – actual rape or sexual assault.
 - b. Continuing Actions – a pattern of behavior or practice conducted on a continuing basis, including but not limited to: abusive language, demeaning language, derogatory remarks, questions regarding

sexual preferences or activities, and/or explicit/implicit materials.

- c. Covert Actions – may include any or all of the actions listed under Continuing Actions.
-
- 8. Examples of sexual harassment as defined by Act 563 of 1985 include:
"Sexual Contact" defined as any act of sexual gratification involving touching directly or through clothing the sex organs, buttocks, anus of a person, or the breast(s) of a female.
 - 9. The AFC's grievance procedure authorized the Grievance Officer to modify, waive, or otherwise change the Grievance Procedure in order to fulfill the intent of the procedure, provided the State Forester and employee agree to the waiver, modification or change. To this effect, no employee, in order to affect resolution, shall be required to solely or independently confront the person allegedly conducting or causing the action believed to be sexual harassment.
 - 10. Employees believing themselves to be victims of sexual harassment are encourage to come forward to effect resolution of the complaint. Employees are encouraged to contact the appropriate level supervisor(s) or a grievance officer to begin the process of resolution.